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AT-LARGE ADVISORY COMMITTEE

ALAC Statement on the ccNSO FoI WG's Interim Report on "Revocation"

Introduction

Rinalia Abdul Rahim, At-Large member from the Asian, Australasian and Pacific Islands Regional At-Large Organization (APRALO) composed an initial draft of this Statement after discussion of the topic within At-Large and on the Mailing Lists.

On 8 November 2013, this Statement was posted on the [At-Large ccNSO FoI WG's Interim Report on "Revocation" Workspace](#).

On that same day, Olivier Crépin-Leblond, Chair of the ALAC, requested ICANN Policy Staff in support of the ALAC to send a Call for Comments on the draft Statement to all At-Large members via the [ALAC-Announce Mailing list](#).

On 11 December 2013, a version incorporating the comments received was posted on the aforementioned workspace and the Chair requested that Staff open an ALAC ratification vote on the proposed Statement.

On 20 December 2013, Staff confirmed that the online vote resulted in the ALAC endorsing the Statement with 14 votes in favor, 0 votes against, and 0 abstentions. You may review the result independently under: <http://www.bigpulse.com/pollresults?code=3616ExVxZHc9QMtKMR2MZAMS>

Summary

1. The ALAC congratulates the ccNSO Framework of Interpretation Working Group (FOIWG) on the outcome of its work to clarify the parameters governing the revocation of ccTLD delegation by the IANA Operator.
2. The ALAC strongly believes that clarity on revocation parameters as well as a clear and transparent process on the part of the IANA Operator are crucial to ensure that any act of revocation is carried out with accountability, transparency, sensitivity and care, and does not in any way disrupt the continued name resolution for Internet users.
3. The ALAC agrees with the Working Group's interpretation of RFC 1591, which provides for revocation as one of three mechanisms available to the IANA Operator.
4. We further suggest the following to strengthen the interpretation work:
 - Specify further the appeals mechanism for the ccTLD manager in the case of revocation in section 4.3.7.3. Operationalization of the interpretation would be more efficient if there is greater clarity on the type and geographic jurisdiction of the "independent body" that would qualify for the appeals process.
 - Request the IANA to maintain accurate and informative reports on cases of re-delegation and to record receipts of delegation transfer consent from the incumbent ccTLD manager so as to better distinguish clear revocation cases when the IANA's performance is reviewed.

The original version of this document is the English text available at <http://www.atlarge.icann.org/correspondence>. Where a difference of interpretation exists or is perceived to exist between a non-English edition of this document and the original text, the original shall prevail.

ALAC Statement on the ccNSO FoI WG's Interim Report on "Revocation"

The ALAC congratulates the ccNSO Framework of Interpretation Working Group (FOIWG) on the outcome of its work to clarify the parameters governing the revocation of ccTLD delegation by the IANA Operator.

The ALAC strongly believes that clarity on revocation parameters as well as a clear and transparent process on the part of the IANA Operator are crucial to ensure that any act of revocation is carried out with accountability, transparency, sensitivity and care, and does not in any way disrupt the continued name resolution for Internet users.

The ALAC agrees with the Working Group's interpretation of RFC 1591, which provides for revocation as one of three mechanisms available to the IANA Operator. We generally support the selected limits of revocation to cases where there are "persistent problems with the operations of the domain" and where there continues to be "substantial misbehavior" on the part of ccTLD managers despite the IANA Operator's best efforts to stop the misconduct. We are also satisfied that the Working Group has defined what constitutes "persistent problems" and "substantial misbehavior" clearly to support appropriate action by the IANA Operator.

The Working Group indicated that it had considered whether the GAC Principles and accompanying guidelines are consistent with the RFC 1591 and whether they provide an aid to the Working Group's interpretation (Section 2.2.2). We do not see any conclusion to these considerations. We note that section 4.3.7.2 appears to factor the GAC Principles in specifying that "If the IANA Operator revokes a delegation it should attempt, in collaboration with the significantly interested parties to ensure the ccTLD will continue to resolve names until a suitable replacement can take over." As a form of good practice, we strongly recommend that the IANA Operator consult with the local government before taking action to revoke any ccTLD operator.

We further suggest the following to strengthen the interpretation work:

1. Specify further the appeals mechanism for the ccTLD manager in the case of revocation in section 4.3.7.3. Operationalization of the interpretation would be more efficient if there is greater clarity on the type and geographic jurisdiction of the "independent body" that would qualify for the appeals process.
2. Request the IANA to maintain accurate and informative reports on cases of re-delegation and to record receipts of delegation transfer consent from the incumbent ccTLD manager so as to better distinguish clear revocation cases when the IANA's performance is reviewed.

With regard to the questions posed by the FOIWG to the community, our responses are as follows:

1. *Is the approach used by the working group satisfactory?*
Yes.
2. *Do the issues identified by the working group for this topic capture the major problems associated with the topic? If not what is missing?*
Yes for cases that involve "operational problems" and "substantial misbehavior" on the part of the incumbent ccTLD Operator. One gap that is of concern to our community is the

consideration of whether or not the IANA Operator is empowered to act in cases where there is a request for revocation from a local government, which is backed by local law, but where there are no "operational problems" and no "substantial misbehavior" on the part of the incumbent ccTLD Operator. Clarification on how such cases will be handled by the IANA Operator is requested.

3. *Is the proposed interpretation of the relevant sections of RFC 1591 effective and supported?*
Yes.
4. *Are the proposed recommendations effective in addressing the concerns raised in the final report of the DRDWG regarding this topic?*
Yes.